

UNITED STATES DISTRICT COURT  
Central District of California

Interstate Fire & Casualty Company

BILL OF COSTS

V.

Case Number: EDCV 06-0593 VAP (OPx)

Pacific Employers Insurance Company, AND THE  
RELATED COMPLAINT IN INTERVENTION

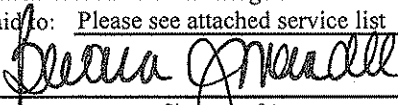
Judgment having been entered in the above entitled action on January 31, 2008 against Interstate Fire & Casualty Co.,  
Date  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ 0.00
Fees for service of summons and subpoena .....	0.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case (Expedited or daily transcripts require prior Court Order.)	
1. Trial Transcripts, if requested by the Court or prepared pursuant to stipulation .....	0.00
2. Deposition Transcripts (includes non-expedited transcripts, the reporter's appearance fee, fees for binding, bates stamping, non-expedited shipping & handling, processing fee, ASCII disks, production and code compliance charge, electronic transmission charge, miniscripts and witness handling charges) .....	3,569.73
Fees and disbursements for printing .....	
(The costs of copies of an exhibit attached to a document necessarily filed and served.)	1,120.00
Fees for witnesses (itemize on page 2 of 3) .....	0.00
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	0.00
Docket fees under 28 U.S.C. 1923 (if incurred) .....	0.00
Costs as shown on Mandate of Court of Appeals .....	0.00
Compensation of court-appointed experts .....	0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	0.00
Other costs to be taxed pursuant to prior Court approval (please itemize) .....	0.00
TOTAL	\$ 4,689.73

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Please see attached service list

  
Signature of Attorney

Barbara J. Mandell, Esq.  
Name of Attorney

For: Republic Western Insurance Company Date: February 11, 2008  
Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_

By: \_\_\_\_\_  
Clerk of Court Deputy Clerk Date

ATTACHMENT RE: ITEMIZATION OF COSTS

Preliminary Statement

The taxation of costs lies within the trial court's discretion. *Thornberry v. Delta Airlines*, 676 F.2d 1240, 1245 (9th Cir. 1982), *remanded on other grounds*, 461 U.S. 952 (1983). Litigation-related costs are reimbursable as long as they are necessary expenses incurred in furnishing effective representation, and are not regarded by the court as overhead expenses absorbed by counsel. *In re Media Vision Tech. Sec. Lit.*, 913 F. Supp. 1362, 1372 (N.D. Cal. 1996). The standard of reasonableness is to be given a liberal interpretation. *Id.* at 1368.

1. **Deposition Costs** – Deposition costs are taxable costs. Local Rule 54-4.6.

Date	Description	Amount	Exhibit
6/22/07	Deposition transcript of David P. Farrell	\$139.10	1-1
6/27/07	Deposition transcript of Keith Koeller, Esq.	\$240.01	1-2
7/19/07	Deposition transcript of Teresa Donahoe	\$1,010.18	1-3
7/20/07	Deposition transcript of Andrew Slear	\$ 939.67	1-4
8/2/07	Deposition transcript of Todd William Baxter, Esq.	\$1,240.77	1-5
<b>Total</b>		<b>\$3,569.73</b>	

1 2. **Photocopies** – Photocopies of exhibits filed and served are reimbursable  
2 costs. (Local Rule 54-4.11(a). Costs, in general, are reimbursable as long the costs  
3 are: (1) not normally absorbed as part of the firm's overhead; (2) necessary and  
4 incidental to effective and competent representation; and (3) not excessive. (*In re*  
5 *Media Vision Tech.*, *supra*, at 1367-1368.)

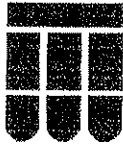
Document	Date	Exhibit	No. of Pages	Total
Motion for Leave to File Complaint in Intervention	04/11/07	A	11	26
		B	15	
Request for Judicial Notice in Support of Reply Re: Motion for Leave to File a Complaint in Intervention	04/30/07	A	5	5
Declaration of Barbara J. Mandell in Support of Reply Re: Motion for Leave to File a Complaint in Intervention	04/30/07	B	16	20
		C	4	
Complaint In Intervention	05/10/07	A	168	277
		B	32	
		C	19	
		D	58	
Ex Parte Application to Continue the Discovery Cut-Off date and Hearing	06/18/07	1-18	188	188
Reply Re: Ex Parte Application to Continue Discovery Cut-Off Date and MSJ	06/29/07	19	1	1
Evidence in Support of RWIC's Motion for Partial Summary Judgment	07/30/07	A-S	406	406

1	Supplemental Decl. of Mitch Ducey in	08/03/07	T	24	24
2	Support of RWIC's Motion for Partial				
3	Summary Judgment as to Interstate				
4	Supplemental Evidence (Declarations	08/15/07	U	8	9
5	an Exhibits) In Support of RWIC's		V	1	
6	Opposition to the MSJ of Interstate				
7	Reply Re: RWIC's Motion for Partial	08/20/08	W	8	8
8	Summary Judgment				
9	Declaration of Charles Norris in	9/28/07	A	1	55
10	Support of Judgment of RWIC		B	3	
11			C	27	
12			D	24	
13	Request for Judicial Notice in Support	9/28/07	E	23	23
14	of Judgment of RWIC				
15	Declaration of Charles Norris in	10/29/07	A	1	78
16	Support of RWIC's Motion for Entry of		B	3	
17	Judgment		C	27	
18			D	24	
19			E	23	
20	Evidence in Support of RWIC's Motion	12/17/07	1	13	211
21	for Summary Judgment Re: Amount of		2	89	
22	Damages Owed by Interstate		3	75	
23			4	27	
24			5	3	
25			6	3	
26			7	1	

1	Reply Re: RWIC's Motion for	1/11/08	8	32	69
2	Summary Judgment Re: Amount of		9	31	
3	Damages Owed by Interstate		10	6	
4	Total number of pages = 1400				
5	Sub Total at \$0.20 per page = \$280.00				
6	1) Sub Total at 2 copies for service to opposing counsel = \$560.00				
7	2) Sub Total at 2 copies for filing with District Court = \$560.00				
8	<b>Total Photocopying Costs (add numbers 1 &amp; 2) = \$1,120.00</b>				

12	<b>GRAND TOTAL FOR ALL COSTS</b>	<b>\$4,689.73</b>
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**Exhibit 1**



**Central Court Reporting**

1001 Fourth Avenue, Suite 3200  
Seattle, WA 98154  
(206) 682-5896

No. S 25555

Federal Tax No.: 91-1709691

**INVOICE**

Date: 7/10/2007

Reference No.:

TO: Mr. Lorne Lilienthal  
Michelman & Robinson  
15760 Ventura Boulevard, Suite 500  
Encino, CA 91436

9/19/07  
**2<sup>ND</sup> NOTICE**

Case: Interstate Fire & Casualty vs. Pacific Employers Insurance Co.

Date	Qty		Description	Amount
6/22/2007	34	pgs	One copy of the deposition of David P. Farrell (E-Transcript only)	93.50
	132	pgs	One copy of the exhibits to above deposition	39.60
			Shipping	6.00
<div>PAID SEP XX 2007</div> <div>ENT'D SEP 24 2007      ENT'D SEP 24 2007</div>				
<b>Total</b>				\$139.10

Thank You

Exh 1 Pg. 1

LUDWIG KLEIN REPORTERS & VIDEO, INC.  
10868 KLING STREET  
TOLUCA LAKE, CA 91602  
(800) 540.0681 Fax (818) 508.6326

# INVOICE

INVOICE NO.	DATE	JOB NUMBER
155392	07/18/2007	02-51505
JOB DATE	REPORTER(S)	CASE NUMBER
06/27/2007	HILLBR	EDCV060593V
CASE CAPTION		
INTERSTATE FIRE & CASUALTY VS. PACIFIC EMPL		
TERMS		
Due upon receipt		

MITCHELL DUCEY, ESQ.  
MICHELMAN & ROBINSON  
15760 VENTURA BOULEVARD  
SUITE 500  
ENCINO, CA 91436

CERTIFIED COPY OF THE DEPOSITION OF:  
KEITH KOELLER, ESQ.

240.01

TOTAL DUE >>>>

240.01

REC'D AUG 02 2007

ENT'D AUG 02 2007

THANK YOU FOR YOUR BUSINESS

WE NOW ACCEPT



TAX ID NO.: 95-3996239

(818) 783.5530

Please detach bottom portion and return with payment.

MITCHELL DUCEY, ESQ.  
MICHELMAN & ROBINSON  
15760 VENTURA BOULEVARD  
SUITE 500  
ENCINO, CA 91436

Invoice No.: 155392  
Date : 07/18/2007  
TOTAL DUE : 240.01

Job No. : 02-51505  
Case No. : EDCV060593VAPOPX  
INTERSTATE FIRE & CASUALTY VS. PACIF

Remit To: LUDWIG KLEIN REPORTERS & VIDEO, INC.  
10868 KLING STREET  
TOLUCA LAKE, CA 91602

03784.0014

Exh 1 Pg. 2



Job #: 070709LC

#785  
Job Date: 07/09/2007

Order Date: 07/09/2007

DB Ref. #:

Date of Loss: / /

Your File #:

Your Client: Plaintiff in Intervention

**Invoice**

Invoice #: 54356

Inv. Date: 07/19/2007

Balance: \$0.00

**Hunter + Geist, Inc.**

1900 Grant Street

Suite 800

Denver, CO 80203

Phone: (303) 832-5966 Fax: (303) 832-9525

**Bill To:**Lorne D. Lilienthal, Esq.  
Michelman & Robinson, LLP  
15760 Ventura Boulevard  
Suite 500  
Encino, CA 91436**Action: Interstate Fire & Casualty Company**

VS

**Pacific Employers Insurance Company****Action #: EDCV 06-0593 VAP****Rep: Lynnette L. Copenhaver****Cert:**

Item	Proceeding/Witness	Description	Amount
1	Teresa Donahoe	Appearance Fee - Hourly	\$100.00
2	Teresa Donahoe	Original Certified Transcript	\$787.90
3	Teresa Donahoe	E-Transcript	\$15.00
4	Teresa Donahoe	Minitranscript	\$25.00
5	Teresa Donahoe	Exhibits	\$82.28
<b>Comments:</b>			
Thank You For Your Business!			Sub Total
			\$1,010.18
			Shipping
			\$0.00
			Tax
			N/A
			<b>Total Invoice</b>
			\$1,010.18
			Payment
			\$1,010.18
			<b>Balance Due</b>
			\$0.00
Federal Tax I.D.: 84-0835207		Terms: Net 30 Days @ 1.5%	

Please KEEP THIS PART for YOUR RECORDS.

Please FOLD then TEAR HERE and RETURN THIS PART with PAYMENT.

**Bill To:****Internal File No: 01/01/1999**Lorne D. Lilienthal, Esq.  
Michelman & Robinson, LLP  
15760 Ventura Boulevard  
Suite 500  
Encino, CA 91436**Deliver To:**Lorne D. Lilienthal, Esq.  
Michelman & Robinson, LLP  
15760 Ventura Boulevard  
Suite 500  
Encino, CA 91436**Invoice**

Invoice #: 54356

Phone: (303) 832-5966

Fax: (303) 832-9525

Inv. Date: 07/19/2007

Balance: \$0.00

Job #: 070709LC

Job Date: 07/09/2007

DB Ref. #:

Date of Loss: / /

Your File #:

Hunter + Geist, Inc.  
1900 Grant Street  
Suite 800  
Denver, CO 80203Exh 1 Pg. 3

# INVOICE

Digital Court Reporting & Video, LLC  
1445 North Loop West, Suite 325  
Houston, TX 77008  
Phone: 713.683.0401 Fax: 713.683.8935

<b>Invoice No.</b>	<b>Invoice Date</b>	<b>Job No.</b>
6323	8/3/2007	2223
<b>Job Date</b>	<b>Case No.</b>	
7/20/2007		
<b>Case Name</b>		
INTERSTATE FIRE & CASUALTY VS PACIFIC EMPLOYER INSURANCE COMPANY		
<b>Payment Terms</b>		
Due upon receipt		

REC'D AUG 08 2007

Mitchell F. Ducey  
Michelman & Robinson  
15760 Ventura Blvd  
Encino, CA 91436

3784.14

**Certified Copy for the Deposition of:**

Andrew Slear	819.00
E-Transcript	22.50
Admin Fee (Signature Processing, Binding & Certification)	80.00
UPS	18.17
<b>TOTAL DUE &gt;&gt;&gt;</b>	<b>\$939.67</b>

ENT'D AUG 06 2007

Tax ID: 20-5590437

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**HUTCHINGS**  
COURT REPORTERS, LLC  
GLOBAL LEGAL SERVICES  
800.697.3210  
Fax: 323.888.6333  
www.hutchings.com

7707

# INVOICE

INVOICE NO.	DATE	JOB NUMBER
420358	08/02/2007	02-165679
JOB DATE	REPORTER(S)	
07/24/2007	WOODBA	

## CASE CAPTION

Interstate Fire & Casualty Co. v. Pacific Employers Ins. Co.

## TERMS

Net 30

Mitchell F. Ducey  
Michelman & Robinson, LLP  
15760 Ventura Blvd., #500  
Encino, CA 91436

REC'D AUG 08 2007

7784.14

Original & One Certified Copy - Deposition of:  
Baxter, Todd William  
Exhibits  
Rough Draft Service  
Handling Charge

966.57  
103.20  
116.00  
55.00

TOTAL DUE >>>>

1,240.77

AFTER 09/01/2007 PAY

1,364.85

LOCATION OF DEPO: Fresno, CA

ENT'D AUG 08 2007

TAX ID NO.: 95-2113145

Please detach bottom portion and return with payment.

Mitchell F. Ducey  
Michelman & Robinson, LLP  
15760 Ventura Blvd., #500  
Encino, CA 91436

Invoice No.: 420358  
Date : 08/02/2007  
TOTAL DUE : 1,240.77  
AFTER 9/1/2007 PAY : 1,364.85

Job No. : 02-165679  
Interstate Fire & Casualty Co. v. Pa

Remit To: Hutchings Court Reporters, LLC  
6055 E. Washington Blvd.  
8th Floor  
Los Angeles, CA 90040

19417

Exh 1 Pg. 5